

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

\*\*\*\*\*  
IN RE: : CHAPTER 13  
DAVID J. MILBUT, SR. and :  
GAIL KATHLEEN MILBUT :  
: :  
Debtor(s) : CASE NO. 5-16-05061  
\*\*\*\*\*

**DEBTORS' ANSWER TO TRUSTEE'S MOTION TO DISMISS**

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AND NOW COMES, David and Gail Milbut, the Debtors, and files an Answer to the  
Trustee's Motion to Dismiss and states the following:

1. David and Gail Milbut, (hereinafter the "Debtors") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Charles J. DeHart, III, Esq. is the standing Chapter 13 Trustee.
3. The Trustee filed a Motion to Dismiss the Debtor's Chapter 13 case stating the Plan is non confirmable.
4. Debtor's Counsel was waiting for a response from the IRS as to the claim amount.

An amended Plan will be filed with the Court shortly.

WHEREFORE, the Debtors respectfully request that Trustee's Motion to Dismiss be denied.

Respectfully submitted,

Date: July 26, 2017

/s/Tullio DeLuca  
Tullio DeLuca, Esquire  
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**CERTIFICATE OF SERVICE**

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The undersigned hereby certifies that on July 26, 2017, he caused a true and correct copy of  
Debtors' Answer to Trustee's Motion to Dismiss to be served via electronic filing in the above-  
referenced case, on the following:

Charles J. DeHart, III, Esq. at [dehartstaff@ramapo.com](mailto:dehartstaff@ramapo.com)

Dated: July 26, 2017

/s/Tullio DeLuca  
Tullio DeLuca, Esquire